



OPEN MEETING

REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL RESIDENT POLICY AND COMPLIANCE COMMITTEE

**Tuesday, October 24, 2023 – 9:30 A.M.
24351 El Toro Road, Laguna Woods, CA 92637
Board Room and Virtual with Zoom**

Laguna Woods Village owner/residents are welcome to participate in committee meetings in-person and virtually. To submit comments or questions virtually for committee meetings, please using one of following options:

1. Join the Committee meeting via Zoom at: <https://us06web.zoom.us/j/84903327041> or by dialing 669-900-6833 Access Code: 849 0332 7041
2. Via email to meeting@vmsinc.org any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee in the subject line of the email. Name and manor number must be included.

NOTICE AND AGENDA

This Meeting May Be Recorded

1. Call Meeting to Order
2. Approval of the Agenda
3. Approval of the Meeting Report for September 27, 2023
4. Remarks of the Chair
5. Member Comments (Items Not in the Agenda)
6. Response to Member Comments
7. Department Head Update
8. Items for Discussion and Consideration:
 - a. Barbecue Policy
 - b. Clarification of Definition of "Objective" Evidence
9. Future Agenda Items: *All matters listed under Future Agenda Items are items for a future committee meeting. No action will be taken by the committee on these agenda items at this meeting.*
 - a. Financial Qualifications for Purchasing in Third Mutual
 - b. Review Compliance Process Against Davis-Stirling Act
10. Committee Member Comments
11. Date of Next Meeting – Wednesday, November 29, 2023 at 9:30 a.m.
12. Adjournment

*A quorum of the Third Board or more may also be present at the meeting.

Mark Laws, Chair
Blessilda Wright, Staff Officer
Telephone: 949-597-4254



**REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL
RESIDENT POLICY AND COMPLIANCE COMMITTEE**

Wednesday, September 27, 2023 at 9:30 A.M.
Board Room/Virtual Meeting
Laguna Woods Village Community Center
24351 El Toro Road, Laguna Woods, CA 92637

MEMBERS PRESENT: Mark Laws - Chair, Nathaniel “Ira” Lewis, Cush Bhada, Andy Ginocchio and S.K. Park

MEMBER EXCUSED: Cris Prince

ADVISORS PRESENT: Stuart Hack and Theresa Keegan (entered meeting 9:33 a.m.)

ADVISORS ABSENT: None

STAFF PRESENT: Blessilda Wright and Ruby Rojas

OTHERS PRESENT: None

1. Call to Order

Mark Laws, Chair, called the meeting to order at 9:30 a.m.

2. Approval of Agenda

Director Bhada made a motion to approve the agenda. Director Ginocchio seconded the motion. By unanimous consent, the motion passed.

3. Approval of Meeting Report

Director Lewis made a motion to approve the August 22, 2023 meeting report. Director Bhada seconded the motion. By unanimous consent, the motion passed.

4. Remarks of the Chair

None.

5. Members Comments (Items Not on Agenda)

None.

6. Response to Members Comments

None.

7. Department Head Update

None.

8. Items for Discussion and Consideration

a. Disciplinary Violations Matrix – Updated Version Attached

Chair Laws, presented the Disciplinary Violations Matrix for the committees review and discussion. The Committee discussed the matter and asked questions.

The committee approved the Disciplinary Violations Matrix for staff use.

b. Continued Reporting of Events after Issue Resolution

Chair Laws, presented the Continued Reporting of Events after Issue Resolution for discussion. The Committee discussed the matter and asked questions.

The committee elected to take no action.

c. Barbecue Policy

Chair Laws, presented the Barbecue Policy for discussion. The Committee discussed the matter and asked questions.

Members made comments expressing concern regarding the lack of Barbecue Rules and clarity for members to prevent barbecue units becoming clutter in breezeways and walkways.

The committee consensus was to allow electric and gas grill under 20 lbs. at any unit and prohibit charcoal grills from multistory units. The committee elected to request the Chair and Staff to draft a new Barbecue Policy based upon comments received and bring to next Committee Meeting for further discussion.

9. Items for Future Agendas

- a. Financial Qualifications for Purchasing in Third Mutual
- b. Audit/ Review of Compliance Department against updated Davis-Stirling laws

10. Committee Member Comments

None.

11. Date of Next Meeting

Tuesday: October 24, 2023 at 9:30 a.m.

12. Adjournment

With no further business before the Committee, the meeting was adjourned at 10:57 a.m.

Mark W. Laws

Mark W. Laws (Oct 11, 2023 12:42 PDT)

Mark W. Laws, Chair
Third Laguna Hills Mutual



STAFF REPORT

DATE: October 24, 2023
FOR: Resident Policy & Compliance Committee
SUBJECT: Barbecue Grills Rules & Regulations

RECOMMENDATION

Review and provide direction.

BACKGROUND

On December 3, 2020 and February 3, 2021, the Resident Policy and Compliance Committee approved the Barbecue Grill Rules and Regulations information sheet. On March 16, 2021, the information sheet was converted into a policy and approved by the Board (Resolution 03-21-18).

On May 27, 2023, the Committee discussed the policy and tabled the matter for pending review of the Orange County Fire Authority Barbecue Flyers.

In the last six years there have been four fires started by barbecue grills. Only one of the incidents required Third Laguna Hills Mutual (Third) insurance company to be involved. Since 2011, the Compliance Division has mailed eleven (11) disciplinary letters regarding nuisance violations caused by the use of barbecue grills.

On June 27, and July 26 2023, the Committee discussed the policy and voted to rescind the Barbecue Rules and Regulations.

On September 19, 2023, the Board of Directors voted to rescind the Barbecue Rules and Regulations. The Board requested the Committee consider creating new Barbecue Rules and Regulations specific to multi story buildings.

On September 27, 2023, the Committee discussed creating a simplified Barbecue Rules and Regulations. The Committee changes have been included in the proposed rules and regulations.

DISCUSSION

The Committee provided key points to include in the new policy:

- Propane and Electric grills allowed in Third
- Propane tank no larger than 20 pounds
- Charcoal grills only in single story buildings
- Only on patios and balconies

The Chair requested to include the following:

California Fire Codes §308.3.1, §308.1.4 and §308.3.1.1, which were adopted by the state in 2007. Open-flame cooking devices (including charcoal & propane grills) may not

be operated on combustible balconies or within ten feet of a combustible construction. There are exceptions are for:

1. One and two-family dwellings,
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2-1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

In addition, propane containers with a capacity larger than one pound cannot be transported through enclosed common area stairs, hallways, or elevators. They must be transported into the unit through an exterior stairway.

Insurance. Some insurance carriers want to see barbecues (especially charcoal) gone from frame complexes altogether.

FINANCIAL ANALYSIS

None

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Gomez, Operations Manager

ATTACHMENT(S)

Attachment 1: Resolution 03-23-XX

Attachment 2: Barbecue Grills Rules & Regulations



RESOLUTION 03-23-XX

Barbecue Grills Rules & Regulations

WHEREAS, the Resident Compliance & Policy Committee has recognized the need to adopt a Barbecue Grills Rules & Regulations to set forth guidelines for the use of barbeque grills;

NOW THEREFORE BE IT RESOLVED, on XXX, XX, 2023, the Board of Directors of this Corporation hereby adopts the Barbecue Rules & Regulation, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

Barbecue Rules & Regulations
Resolution 03-23-XX; Adopted August XX, 2023

I. Purpose

The purpose of this document is to define the policies of Third Laguna Hills Mutual (“Third”) regarding the use of Barbecue Grills.

II. Definitions

For the purposes of this policy:

- a. Barbecue Grills are devices that cook food by apply heat from below. There are three categories of grills:
 - a. gas-fueled grill typically use propane or butane or natural gas as a fuel source, open flame source;
 - b. Charcoal grill typically use charcoal briquettes or natural lump charcoal as the fuel source. When burned the charcoal will transform into embers radiating the heat source, open flame source;
 - c. electric grill typically use an electric element to supply a constant heat source and no open flames.
- b. Common Area means the area which is available for use by more than one person.
- c. Community Rules are defined as the Articles of Incorporation, Bylaws, the recorded Covenants, Conditions, and Restrictions (CC&Rs); and any rules and regulations adopted by Third. Any reference to the “Governing Documents” shall, for purposes of this Policy, be deemed a reference to the Community Rules set forth in this definition.
- d. Enclosed is defined as an area closed in by a roof and contiguous walls or windows, connected floor to ceiling with appropriate opening or ingress and egress.
- e. Member is defined as any person entitled to membership in Third.
- f. Multi story-unit residential facility means a building or portion thereof that contains more than one story of dwelling units.
- g. Nuisance reference Nuisance Policy.
- h. Single story- unit residential facility means a building or portion thereof that contains only one story of dwelling units.

III. Conditions

Permitted in Third:

- a. Propane and Electric Grills are permitted in all buildings
- b. Propane tanks not to exceed 20 pounds
- c. Charcoal Grills only permitted in single-story buildings
- d. Barbecue Grills only permitted on balcony and patio; and

IV. Safety Tips

- a. Follow the manufacture instructions
- b. Fasten the propane tank securely to the grill
- c. Place your grill on a level surface so it will not topple over
- d. Light your grill with the top open
- e. Supervise the grill when in use and keep everyone away, including pets
- f. Use long-handled tools especially made for cooking on the grill
- g. Do not wear a loose apron or loose clothing while grilling, and always wear shoes
- h. Thoroughly clean grill after each use
- i. Keep a fire extinguisher nearby
- j. Always use or store cylinders outdoors in an upright (vertical) position

V. Enforcement

Third is authorized to take disciplinary action against a Member found to be in violation of the Barbecues Rules. When a violation occurs the Board is obligated to evaluate and impose if appropriate, member-discipline as set forth in the governing documents. The Board of Directors has the authority to impose monetary fines, suspend Member privileges, and/or bring forth legal action.

The Member is entirely responsible for ensuring that the rules, regulations, and policies are followed by anyone they allow into the community. This includes any Co-occupant, lessee, guest, care provider, vendor, invitee or contractor.

A complaint may be registered with the Compliance Division by calling 949-268-CALL or compliance@vmsinc.org or by calling the Security Department at 949-580-1400.



STAFF REPORT

DATE: October 24, 2023
FOR: Resident Policy and Compliance Committee
SUBJECT: Clarification of Definition of Objective Evidence

RECOMMENDATION

Receive and file.

BACKGROUND

On July 20, 2004, the Board of Directors established the Timely Processing of Member Discipline process for the purposes of holding disciplinary hearings in a timely manner and ensuring progressive discipline (Resolution 03-04-12). The Board of Directors is obligated to evaluate and impose if appropriate, member-discipline under its Bylaws and California Civil Code.

The member-discipline process is coordinated by the Compliance Division. Upon notice of an alleged violation, staff investigates and should staff identify objective evidence of a violation by a member or their guests, staff will send a courtesy notice to the offending party describing the allegation(s) and the disciplinary action that may ensue if not corrected. Staff will monitor the situation and if compliance is not evident, staff will send a final notice requesting compliance. Additionally, the matter is scheduled for a disciplinary hearing with the Board of Directors to determine if member-discipline is merited. If the alleged violation has been resolved, no further action is required.

DISCUSSION

The Chair requested clarification of definition of 'objective' evidence for reported violations. Per the Timely Processing of Member Discipline process The Law Dictionary, objective evidence is based on facts, not subject to bias, and is able to be independently confirmed and verified. When a report of an alleged violation is received staff performs an investigation to verify the allegation. During the investigation, objective evidence is gathered for the Boards review. Objective evidence are photos, videos, witness statements, and documentation such as Incident Reports (IR), Notice of Violation (NOV), inter-department reports/notices, and correspondence.

Below are detailed examples of objective evidence by violation category:

- Clutter - a Compliance Inspector will perform an inspection and obtain photos of the area and an NOV is created for documentation;
- Landscape, Alterations, Moisture Intrusion, Maintenance, and Violations from various inter-departments – photos, correction notices and other correspondence;
- Nuisance – the reporting party is directed to contact the Security Services Department when the allegation occurs for documentation. A Security Officer is dispatched to speak

Clarification of Definition of Objective Evidence

October 24, 2023

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with all the individuals involved, including witnesses, and an IR is generated with everyone's statements. When available video and/or photos are provided.

Its important to note that the member, as part of the disciplinary notices, receive all the information and statements that staff has gathered during the investigation. This includes any statements from witnesses. However, no names of reporting parties or witnesses are ever shared. The disciplinary notices will also include any photographs obtained during the investigation. Videos are not provided to the members but are made available for viewing with staff in the Laguna Woods Village Community Center.

FINANCIAL ANALYSIS

None

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Gomez, Operations Manager

ATTACHMENT(S)

Attachment 1: Third Disciplinary Violation Matrix



Disciplinary Violations Matrix

Allegation	Schedule Hearing Immediately	Follow Normal Hearing Process
Abandoned Vehicle		X
Alterations - General Requirements		
Construction Hours		X
Debris		X
Expired Permit		X
Non-Compliance to Variance Request	X	
Damage to Mutual Property without Approval	X	
Use of Community Trash Bins		X
Alterations - Failure to Maintain		X
Animal Control		
Breeding Animals		X
Dog Barking		X
Injury to Person		XXX
Damage to Property		X
Not Picking Up and Disposing of Feces		X
Not Under Control (Off Leash / Leash Longer than 6 feet)		X
Caregiver Policy		X
Clutter Violations		X
Balcony		X
Breezeway		X
Carport		X
Common Area		X
Interior		X
Patio		X
Illegal Business		X
Landscape Violations		X
Manor Maintenance and Repair		
Major (Fire, Safety, Health Hazard)	X	
Minor (Broken Blinds, Visible Repair Needed, etc)		X
Non-Payment of Assessments		X
Non-Payment of Chargeable Services		X
Nuisance - Behavior / Disturbance		
Assault, Theft		XXX
Trespassing	X	
Yelling		XXX
Nuisance - Noise		X
Nuisance - Odors		X
Nuisance - Others		XXX
Nuisance - Visual		X
Non-Smoking Policy		X
Temporary Container Policy		X
Traffic Rules		X
Unauthorized Occupancy		X
Vehicle Oil		X